

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

HERCULES TECHNOLOGY GROWTH CAPITAL,	x	
INC., derivatively on behalf of ACTIVE	:	
RESPONSE GROUP, INC.,	:	09 Civ 10160 (GBD)
	:	
Plaintiff,	:	ECF FILED
	:	
- against -	:	
	:	
BRAD POWERS, LELAND H. NOLAN, JUD	:	
TRAPHAGEN, FLORIN C. VICOL, and BHAVIN	:	
SHAH,	:	
Defendants.	:	
	x	

NOTICE OF MOTION OF DEFENDANTS
BRAD POWERS, LELAND H. NOLAN AND FLORIN C. VICOL
TO DISMISS PLAINTIFF'S COMPLAINT

Dated: May 4, 2010

OF COUNSEL

Ty Cobb

HOGAN LOVELLS US LLP

555 Thirteenth Street, N.W.

Washington, DC 20004

Tel: (202) 637-5000

Fax: (202) 637-5910

Attorneys for Defendants

Brad Powers, Leland H. Nolan and

Florin C. Vicol

HOGAN LOVELLS US LLP

Stuart M. Altman

555 Thirteenth Street, N.W.

Washington, DC 20004

Tel: (202) 637-5000

Fax: (202) 637-5910

Sabrina H. Cochet

875 Third Avenue

New York, New York 10022

Tel: (212) 918-3000

Fax: (212) 918-3100

Attorneys for Defendants

Brad Powers, Leland H. Nolan and

Florin C. Vicol

PLEASE TAKE NOTICE that, upon the accompanying memorandum of law of Defendants Brad Powers, Leland H. Nolan and Florin C. Vicol, dated May 4, 2010, the Declaration of Sabrina H. Cochet, executed on May 4, 2010 and the exhibit annexed thereto, and all prior pleadings and papers filed in this action, Defendants Powers, Nolan and Vicol, by their attorneys, Hogan Lovells US LLP, hereby move this Court before the Honorable George B. Daniels, at the United States Courthouse, 500 Pearl Street, New York, New York 10007, pursuant to Rules 8(a), 9(b) and 12(b)(6) of the Federal Rules of Civil Procedure, for an order dismissing with prejudice all claims asserted against them in the Amended Complaint filed in this action.

Dated: May 4, 2010

Respectfully submitted,

OF COUNSEL

Ty Cobb

HOGAN LOVELLS US LLP

555 Thirteenth Street, N.W.

Washington, DC 20004

Tel: (202) 637-5000

Fax: (202) 637-5910

Attorneys for Defendants

Brad Powers, Leland H. Nolan and

Florin C. Vicol

/s/ Stuart M. Altman

HOGAN LOVELLS US LLP

Stuart M. Altman

555 Thirteenth Street, N.W.

Washington, DC 20004

Tel: (202) 637-5000

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